

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO.

CALIFORNIA WATER CODE SECTION 13308 TIME SCHEDULE AND
CEASE AND DESIST ORDER

REQUIRING

MADISON COMMUNITY SERVICES DISTRICT
YOLO COUNTY
TO COMPLY WITH A TIME SCHEDULE
AND TO CEASE AND DESIST FROM DISCHARGING CONTRARY TO REQUIREMENTS

This Order is issued to Madison Community Services District (hereafter known as "Discharger") and is based on provisions of California Water Code Sections 13301 and 13308, which authorize the Regional Water Quality Control Board, Central Valley Region (hereafter known as Regional Water Board) to issue a Cease and Desist Order and a Time Schedule Order, respectively.

The Regional Water Board finds that:

1. The Discharger owns and operates a municipal wastewater treatment facility (WWTF) in the town of Madison. The facility is on Assessor's Parcel Number 049-462-09-1 on Highway 16 in Section 27, T10N, R1W, MDB&M.
2. Waste Discharge Requirements (WDRs) Order No. 5-00-039, adopted by the Regional Water Board on 17 March 2000, prescribes requirements for the Madison Community Service District WWTF. The Discharger has failed to comply with the WDRs.
3. The Regional Water Board also adopted Amended Cease and Desist Order (CDO) No. 94-062 on 17 March 2000. The Amended CDO requires that the Discharger submit technical reports and construct wastewater treatment system improvements to comply with the WDRs. The Discharger has failed to comply with the Amended CDO.
4. The WWTF serves approximately 500 permanent residents and the Madison Migrant Center, which houses up to 480 persons during the harvest season.
5. The WWTF currently consists of seven unlined percolation/evaporation ponds on approximately 17 acres. The WDRs allow influent flows of up to 141,579 gallons per day (gpd) as an average daily dry weather flow, and provide for an increase in the flow limitation to 156,137 gpd upon completion of what was defined as the Phase II Expansion Project. The Phase II Expansion Project was never completed.
6. Due to inadequate implementation of Monitoring and Reporting Program No. 5-00-039, current influent flows are not well known, but appear to be approximately 96,000 gpd as an average daily dry weather flow. Despite the fact that influent flows appear to be far

lower than the permitted limit of 141,579 gpd, recent violations of the WDRs show that the facility does not have sufficient capacity to comply with the WDRs. Either the actual WWTF capacity is lower than the permitted limit, or actual influent flows are higher than those reported by the Discharger. This is discussed in more detail below.

BACKGROUND

7. Between December 1989 and May 1992, the Discharger had several capacity-related violations of the previous WDRs (Order No. 89-235), including:
 - a. At least two separate discharges of undisinfected wastewater to a drainage ditch tributary to the South Fork of Willow Slough.
 - b. At least two separate instances of inadequate pond freeboard with imminent risk of overtopping.
8. In an August 1992 Capacity Analysis and Wastewater Management Plan, the Discharger acknowledged violations of the previous flow limitations and stated that the WWTF capacity was not adequate. The plan proposed construction of a temporary expansion pond, with construction of permanent improvements to accommodate all then-existing connections by August 1993. However, in September 1993, the Discharger submitted a report stating that the Community Services District (CSD) lacked funding to construct the permanent pond. The Discharger proposed a new completion date of October 1995.
9. On 25 February 1994, the Regional Water Board issued Cease and Desist Order No. 94-062 requiring the Discharger to expand the WWTF to accommodate current flows and anticipated future growth¹ by 1 October 1995. The CDO prohibited any discharges to the CSD's sewer system by customers who did not discharge to the system prior to 24 January 1994.
10. The Discharger constructed two additional percolation/evaporation ponds in 1998, bringing the total number of ponds to seven. However, this project (known as the Phase I project) did not comply with the CDO because it provided capacity for only 13 of the 46 undeveloped parcels within the district. The Discharger proposed to add a 10-acre spreading area to accommodate wastewater from the remaining 33 undeveloped parcels, which (if constructed) were estimated to increase average daily influent flows to 156,000 gpd. This project was identified as the Phase II Expansion Project.
11. Therefore, on 17 March 2000, the Regional Water Board adopted Amended Cease and Desist Order No. 94-062 as a companion order to WDRs Order No. 5-00-039. The Amended CDO set forth a specific scope and schedule as follows:

Task	Compliance Date
Purchase land required for Phase II	1 September 2000
Complete design and specifications	1 January 2001

¹ Based on parcel maps current at that time, full build-out of the community would have added an additional 46 equivalent dwelling units.

Task	Compliance Date
Submit a Report of Waste Discharge	1 February 2001
Commence construction of Phase II	1 June 2001
Achieve full compliance	1 October 2001

The influent flow limitation of 141,579 gpd set forth in WDRs Order No. No. 5-00-039 was based on the capacity analysis provided by the Discharger's engineering consultant following construction of the Phase I expansion. That analysis showed that there was sufficient capacity to accommodate current flows plus anticipated flows from a maximum of 13 new residences. Therefore, the Amended CDO restricted new sewer connections to the 13 equivalent dwelling units that could be accommodated by the Phase I Expansion Project and required that the Discharger further expand the facility to accommodate flows from all undeveloped parcels within the district boundaries.

VIOLATIONS OF THE AMENDED CEASE AND DESIST ORDER

12. The Discharger has not completed any of the tasks set forth in the Amended CDO. On 5 October 2000, the Discharger requested a 12-month extension for all tasks due to its inability to identify suitable land for the WWTF expansion. Staff did not authorize the extension but did not pursue enforcement.
13. On 3 November 2003, staff issued a Notice of Violation (NOV) to the Discharger for its failure to comply with the Amended CDO, including failure to submit the required quarterly status reports. The NOV apprised the Discharger of the number of violations to date (8,754), as well as deficiencies in the monitoring reports required by the WDRs. The NOV advised the Discharger that Regional Water Board staff would forego recommending issuance of an Administrative Civil Liability Order only if the Discharger made a diligent effort to come into compliance with the WDRs and Amended CDO. The NOV set forth the following tasks and deadlines:

Task	Compliance Date
Flow Meter Installation Plan ²	30 December 2003
Revenue Plan ³	15 February 2004
Groundwater Sampling and Analysis Plan ⁴	15 March 2004
Complete Flow Meter Installation ²	30 April 2004
Monitoring Well Installation/Rehabilitation Report ⁵	15 September 2004

² Required because the facility had no means of monitoring influent flow rates to determine compliance with the WDRs.

³ Required because the Discharger stated that it did not have sufficient funds to comply with the Amended CDO.

⁴ Required because monitoring reports indicated that proper monitoring well purging and sampling techniques were not in use.

⁵ Required because monitoring reports showed that the existing monitoring wells were dry at least two quarters per year for the last several years.

14. On 3 December 2003, Regional Water Board staff met with representatives of Madison CSD. Pursuant to that meeting, Madison CSD agreed to submit a schedule to bring the CSD into compliance with the WDRs and Amended CDO. As discussed below, that schedule was not submitted until March 2005.
15. On 15 March 2005, the Discharger submitted a Monitoring Well Installation Workplan, which stated that the Discharger could not proceed with the work until it had received grant funding from Yolo County. In approving the workplan on 3 May 2005, staff advised the Discharger that the work had already been delayed by over a year.
16. On 25 March 2005, the Discharger submitted the following compliance schedule:

<u>Task</u>	<u>Compliance Date</u>
Revenue Plan	15 April 2005
Master Plan	1 May 2005
Monitoring Well Installation Report	15 January 2006 ⁶

The Discharger has not complied with this schedule.

17. As of 28 June 2005, an influent flow meter had been installed, and Madison CSD was reportedly pursuing several grant funding options for other facility improvements.
18. The Discharger's 29 July 2005 CDO Status Report stated that a Community Development Block Grant had been approved but that the funds had not yet been received. The grant would provide a \$75,000 loan and approximately \$400,000 in grant funds for specified WWTF projects, including the following:
 - a. Installation of new monitoring wells;
 - b. Reconstruction of the WWTF headworks to improve worker safety and reliability;
 - c. Retrofitting the existing wastewater pond berms to raise the height of the berms and provide additional capacity; and
 - d. Project administration by County staff.

The grant funds have not yet been disbursed, and recent communications with Yolo County staff indicate that the grant funds must be disbursed by 31 November 2007.

19. On 21 February 2006, Regional Water Board staff received a complaint about suspected seepage from the wastewater pond berms along the eastern side of the Discharger's wastewater treatment facility. Staff investigated the complaint and found that a trench had been excavated into the eastern pond containment berm. The trench had apparently been filled with wastewater and had collapsed, releasing wastewater into an agricultural drain along the southern side of the facility. According to the Discharger's certified operator, the trench was constructed in early January 2006 and wastewater was diverted

⁶ Pending receipt of Community Development Block Grant funding.

to it in mid-February because the wastewater ponds were full and in danger of overtopping or failing. The Discharger did not notify staff of the capacity problem as required by the Standard Provisions and Reporting Requirements, and the Discharger's operator was not aware of the spill until informed by staff.

20. On 3 April 2006, staff issued a NOV for the spill. The NOV required that the Discharger submit a complete spill report by 30 April 2006. The NOV again noted staff's concern that the Discharger had not complied with the Amended CDO and that the Discharger's capacity problems may have reached the point where further enforcement action is needed. On 28 April 2006, the Discharger responded to the NOV, stating that the facility does not have adequate capacity to comply with the 100-year, 365-day precipitation design standard, and that funds from the Community Development Block Grant would be used to raise the elevation of the pond berms in 2006 (a task which has not yet been completed). The Discharger's spill report stated that the trench had been excavated into a waste soil pile that abuts the pond berm, not the actual pond berm as noted by staff.
21. On 28 August 2006, the Yolo County Environmental Health Department received a petition signed by 58 residents of the Madison Migrant Housing Center, which is adjacent to the WWTF. The residents complained of persistent foul odors emanating from the facility for several days in August 2006. The Discharger did not report this nuisance condition to Regional Water Board staff as required by the Standard Provisions and Reporting Requirements. By the time staff became aware of the complaints approximately one month later, the problem had been resolved. According to Yolo County staff, the odor was associated with pond inversion, which brought anoxic biosolids to the surface of the ponds. Removing accumulated biosolids from the ponds regularly would minimize potential odor issues.
22. On 24 October 2006, staff issued a NOV for the Discharger's failure to comply with the Amended CDO and ongoing failure to provide adequate storage and disposal capacity. Noting that the ponds might spill again during the coming winter, the NOV required that the Discharger submit a detailed Contingency Plan to ensure full containment of wastewater by 20 November 2006.
23. On 17 November 2006, the Discharger submitted the contingency plan. The plan states that the Discharger will increase the pond berm height and reduce storm water inflow by installing backflow prevention valves on certain storm water culverts, and rely on Community Development Block Grant Funds to do so. The plan is inadequate because:
 - a. The plan relies on major berm improvements that should be designed by a registered engineer and constructed by a licensed contractor. As of 7 December 2006, the design documents have not been prepared and the Discharger has not sought bids for the work by licensed contractors.
 - b. The plan's implementation is dependent on funding from outside sources.

Therefore, it may not be possible to implement the plan during the 2006/2007 rainy season as required by the NOV.

24. On 20 December 2006, staff transmitted a revised Monitoring and Reporting Program to the Discharger for review and comment. Following resolution of comments, if any, the Executive Officer will issue the revised MRP upon adoption of this Order.
25. In summary, the Discharger has not complied with the March 2000 Amended Cease and Desist Order No. 94-062 and continues to regularly violate the WDRs:
 - a. Despite the lack of growth since completion of an expansion in 1998, the WWTF has a serious capacity problem, which appears to be greater than what previous engineering evaluations predicted. The cause of the capacity deficit has not been defined, but there is strong evidence that infiltration and inflow, loss of percolation capacity through deferred pond maintenance, and/or accumulation of biosolids in one or more of the wastewater ponds are significant contributors to the problem.
 - b. Despite having received a Revenue Plan from its engineering consultant in May 2005, the CSD Board of Directors has neither approved nor submitted the Revenue Plan to the Regional Water Board. According to the 16 June 2006 CDO Status Report, the Discharger's engineering consultant recommended a \$10 per month rate increase to properly fund operation and maintenance of the facility, but the Board of Directors approved only a \$2.49 per month increase, and has not yet voted on the draft Revenue Plan. The current residential sewer rate (including the 2006 increase) is \$31.49 per month.
 - c. The Discharger has repeatedly failed to comply with the Monitoring and Reporting Program, providing incomplete reports and failing to acknowledge overt violations of the WDRs in those reports. Additionally, the Discharger has failed to report two serious violations of the WDRs in 2006 as required by the Standard Provisions and Reporting Requirements. Staff only became aware of these violations because other parties reported them.
 - d. Groundwater at the site is shallow, and the groundwater monitoring well system is not adequate to determine whether groundwater quality has been unreasonably degraded.

Since adoption of the Amended CDO, the Discharger has authorized nine new sewer connections. Under the Amended CDO, four additional connections remain available for use by the Discharger. There is at least one landowner within the District whose land development plans have been delayed indefinitely by the Discharger's failure to comply with the Amended CDO.

26. Based on recent communications with the Discharger's engineering consultant, the Phase II Expansion Project may be infeasible because of high land cost or lack of land available for purchase near the WWTF. The Discharger has made no alternate plans for expansion beyond that which can be accomplished by raising the elevation of the existing pond berms. No detailed analysis has been performed, so it is not known whether raising the pond berms will provide sufficient capacity to ensure compliance with the WDRs and provide service to all of the Discharger's customers.

27. On 24 January 2007, staff met with representatives of Yolo County, the Yolo County Local Agency Formation Commission (LAFCO), Madison CSD, and a neighboring landowner to discuss emergency land discharge options for the 2006/2007 rainy season. At that time, the Madison CSD board did not have a quorum, and the CSD board president stated that the board had not delegated authority to any employee or other person to act on its behalf. Therefore, the CSD could not take emergency actions to prevent pond overtopping or utilize the Community Block Development Grant funds, which require an authorizing signature. County staff developed an emergency land discharge plan for consideration by the Madison CSD board and recommended that the CSD board make a decision about the plan as soon as possible.
28. On 6 February 2007, the Yolo County Board of Supervisors appointed a new member to the Madison CSD board, which now has sufficient members for a quorum.
29. On 7 February 2007, staff met with members of the Madison CSD board and discussed the issues cited in this Order. The board members agreed to discuss the emergency discharge plan at a meeting on 8 February 2007.

REGULATORY CONSIDERATIONS

30. As a result of the events and activities described in this Order, the Regional Water Board finds that the Discharger has caused or permitted waste to be discharged in such a manner that it has created, and continues to threaten to create, a condition of pollution or nuisance. The Regional Water Board also finds that the Discharger is discharging waste in violation of WDRs Order No. 5-00-039 and Amended CDO No. 94-062.
31. The Regional Water Board's Water Quality Control Plan (Fourth Edition) for the Sacramento River and San Joaquin River Basins (Basin Plan) designates beneficial uses, includes water quality objectives to protect the beneficial uses, and includes plans to implement the water quality objectives.
32. Surface water drainage is to the South Fork of Willow Slough, which is tributary to the Yolo Bypass. The beneficial uses of the Yolo Bypass are agricultural supply; water contact recreation; non-contact water recreation; warm and cold freshwater habitat; migration of aquatic organisms; spawning, reproduction and/or early development; and wildlife habitat.
33. The beneficial uses of the groundwater beneath the site are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.
34. Section 13267(b) of the California Water Code states:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or

discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

35. The Discharger owns and operates the facility subject to this Order. Monitoring reports and other technical reports are necessary to determine compliance with the Waste Discharge Requirements, Amended CDO No. 94-062, the Revised Monitoring and Reporting Program, and with this Order.

36. Section 13308(a) of the California Water Code (CWC) provides that:

"If the regional board determines there is a threatened or continuing violation of any cleanup and abatement order, cease and desist order, or any order issued under Section 13267 or 13383, the regional board may issue an order establishing a time schedule and prescribing a civil penalty which shall become due if compliance is not achieved in accordance with that time schedule."

37. Section 13308(b) of the CWC provides that: "... The amount of the penalty may not exceed ten thousand dollars (\$10,000) for each day in which violation occurs."

38. Section 13301 of the California Water Code states in part:

"When a Regional Board finds that a discharge of waste is taking place or threatening to take place in violation of the requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action."

39. This Time Schedule and Cease and Desist Order is issued in accordance with Sections 13308 and 13301 of the California Water Code and establishes a time schedule for compliance and civil penalties for violation(s) of the Order.
40. The penalties allowed under CWC Section 13308 are specified below for the tasks required to attain compliance with Amended CDO No. 94-062. A lesser amount would not provide the incentive to make the facility improvements necessary to achieve compliance. The specified civil penalty amounts are not intended to punish or redress previous violations. Issuance of this Order does not preclude the Board from adopting a future order assessing civil liability or penalties for the violations of Amended CDO No. 94-062 and WDRs Order No. 5-00-039 that occurred prior to adoption of this Order, or that are not addressed in this Order.

41. In accordance with California Water Code Sections 13301 and 13308(c), if the Executive Officer determines that the Discharger has failed to comply with the time schedule contained in this Order, the Executive Officer may issue a complaint pursuant to CWC Section 13323(a) alleging the violation(s) of the time schedule and setting forth the amount of civil penalty due under this Order. The Discharger may either pay the civil penalty or request a hearing before the Regional Water Board.
42. The issuance of this Order is an enforcement action by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15321(a)(2), Title 14, California Code of Regulations.
43. Any person affected by this action of the Regional Water Board may petition the State Water Resources Control Board to review the action in accordance with Section 2050 through 2068, Title 23, California Code of Regulations. The petition must be received by the State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA, 95812-0100, within 30 days of the date on which the Regional Water Board action took place. Copies of the law and regulations applicable to filing petitions are available on the internet at www.swrcb.ca.gov/water_laws/index.html and also will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to Sections 13308 and 13267 of the California Water Code, Madison Community Services District, its agents, successors, and assigns shall, in accordance with the following tasks and time schedule, implement the following measures and the facility improvements required to ensure compliance with Amended Cease and Desist Order No. 94-062. Except as specifically noted, the tasks and time schedule of this Order supersede and replace the tasks and time schedule set forth in Amended Cease and Desist Order No. 94-062.

1. **Effective on the date of issuance by the Executive Officer**, the Discharger shall comply with Revised Monitoring and Reporting Program (MRP) No. 5-00-039. Failure to perform all required monitoring and/or failure to submit a complete monitoring report shall result in a one-time penalty of \$5,000 per delinquent or inadequate report.
2. **Effective immediately**, pursuant to Amended Cease and Desist Order No. 94-062, the Discharger shall not approve more than four new connections to the CSD's sewer system by individual households or businesses unless and until this Order is rescinded or revised to allow additional connections. Failure to comply shall result in a penalty of \$10,000 per equivalent dwelling unit connection in excess of the total allowed.
3. By **30 September 2008**, if the WWTF does not have sufficient capacity to serve all parcels within the current district boundaries, the Discharger shall submit a Report of Waste Discharge (RWD) describing in detail a WWTF expansion project that will provide that capacity and bring the facility into full compliance with the Amended CDO. The technical information portion of the RWD shall be prepared by a registered professional engineer, and shall include a detailed description of the proposed expansion, a plan for

funding the expansion, and a schedule for completing any environmental review required pursuant to the California Environmental Quality Act.

Failure to submit a complete report shall result in a penalty of \$5,000 per month (or fraction thereof) in which the report is late or incomplete.

4. By **30 September 2009**, the Discharger shall submit a report showing that it has achieved full compliance with the Amended CDO by expanding the WWTF as needed to accommodate flows from all undeveloped parcels within the district boundaries as defined in the most recent map prepared by the Yolo County LAFCO. Failure to do so shall result in a penalty of \$5,000 per month (or fraction thereof) in which the facility is not in full compliance.
5. Beginning **1 May 2007**, and by the first day of the second month following each calendar quarter (**i.e., by 1 February, 1 May, 1 August, and 1 November each year**), the Discharger shall submit a progress report describing the work completed to date for each of the above requirements. Failure to submit a complete report shall result in a penalty of \$1,000 per month (or fraction thereof) in which the report is late or incomplete.

IN ADDITION, IT IS HEREBY ORDERED that, pursuant to Sections 13301 and 13267 of the California Water Code, Madison Community Services District, its agents, successors, and assigns shall, in accordance with the following tasks and time schedule, implement the following measures and the facility improvements required to ensure compliance with WDRs Order No. 5-00-039.

6. **Effective immediately**, the Discharger shall comply with all requirements of WDRs Order No. 5-00-039, including the Monitoring and Reporting Program and the Standard Provisions and Reporting Requirements.
7. By **15 April 2007**, the Discharger shall submit and immediately implement a Spill Contingency Plan containing the interim measures necessary for preventing unauthorized discharges to surface watercourses from the WWTF ponds. The Spill Contingency Plan shall remain in effect until full compliance with this Order is achieved. The Spill Contingency Plan must, at a minimum, consider additional water conservation measures to reduce wastewater flows and provisions for transporting wastewater offsite for disposal. The cost and funding mechanism for each contingency measure must be identified. The Spill Contingency Plan must identify the selected alternatives and for each alternative, specify all necessary materials, staffing, and equipment required for implementation. The report shall be prepared by a registered professional engineer.
8. By **30 August 2007**, the Discharger shall submit a *Biosolids Assessment Report/Biosolids Management Plan*. The plan shall describe in detail the results of a detailed field investigation to determine the volume and dry mass of biosolids in each of the wastewater ponds. Based on that estimate, the plan shall present a feasibility analysis of options for removing and disposing of the biosolids, and an estimate of the

storage/disposal capacity that would be recouped by biosolids removal. The report shall be prepared by a registered professional engineer and shall include the following:

- a. A water balance capacity analysis for the WWTF based on measured influent flows, pond geometry, current pond percolation rates, local climactic conditions, and the 100-year, 365-day precipitation event. Separate water balances shall be included for conditions before and after the berm height increase project.
- b. An estimate of yearly biosolids generation rates.
- c. The recommended frequency for biosolids removal.
- d. A schedule for biosolids cleanout.
- e. An estimate of the net annual cost of biosolids disposal for inclusion in future annual budgets.

By **30 June 2009**, the Discharger shall fully implement the approved *Biosolids Management Plan* by removing and disposing of excess biosolids as recommended by the plan.

9. By **30 September 2007**, the Discharger shall submit an *Inflow and Infiltration (I/I) Assessment and Correction Workplan* that includes at a minimum the following:
 - a. Identification of known I/I sources;
 - b. A detailed scope of work to identify and quantify other I/I sources (e.g., smoke testing, video surveying, manhole surveying, etc.);
 - c. A plan to prioritize retrofits and replacements to reduce I/I;
 - d. A discussion of options and preliminary unit cost estimates for correcting various sources of I/I;
 - e. Identification of minor repairs that will be performed in the field as problems are discovered; and
 - f. A detailed schedule for I/I assessment of the entire sewer system and completion of both minor and major repairs.

The report shall be prepared by a registered professional engineer. The project may be phased, but the workplan shall clearly define the scope of work for each yearly phase, and at least 20 percent of the sewer system shall be evaluated each year. The first phase shall include elimination of all known direct storm water inflows to the sewer system. Full implementation of the workplan shall be achieved by **30 December 2012**.

10. By **30 January 2008**, the Discharger shall submit a *Groundwater Monitoring Well Installation Report* that describes the installation, development, and surveying of the monitoring wells installed per the *Groundwater Monitoring Well Installation Workplan* that was approved by Regional Water Board staff on 3 May 2005. The report shall include all of the information listed in Attachment A and shall be prepared by a registered professional geologist or engineer.

11. By **30 June 2008**, the Discharger shall submit a report certifying completion of the pond berm improvements, the new headworks, and the lift station improvements. The project shall include construction of a new headworks structure with a comminuter, new duplex pumps, lift station electrical modifications (as needed), lift station backup power supply, lift station alarm system, placement of engineered fill to stabilize the pond berms and raise the berm height to improve freeboard, and installation of staff gauges for freeboard monitoring.

The report shall present:

- a. Engineering drawings, materials specifications, equipment specifications, and construction specifications for all facility improvements funded by the Community Development Block Grant.
 - b. A description of all work completed.
 - c. Discussion of, and justification for, any deviations from the design.
 - d. As-built drawings depicting the location and details of construction.
12. Beginning **1 May 2007**, and by the first day of the second month following each calendar quarter (**i.e., by 1 February, 1 May, 1 August, and 1 November each year**), the Discharger shall submit a progress report describing the work completed to date for each of the above requirements. This report may be combined with the progress report required pursuant to Item No. 5 above.

In addition to the above, the Discharger shall comply with all applicable provisions of the California Water Code that are not specifically referred to in this Order.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

Failure to comply with this Order may result in the assessment of an Administrative Civil Liability up to \$1,000 or up to \$10,000 per day of violation, depending on the violation, pursuant to the California Water Code, including sections 13268, 13350, and 13385. The Regional Water Board reserves its right to take any enforcement actions authorized by law.

As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, all technical reports required herein shall be prepared by, or under the supervision of, a California Registered Engineer or Registered Geologist (as applicable) and shall be signed by the registered professional.

Any person signing a document submitted under this Order shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on ____.

PAMELA C. CREEDON, Executive Officer

Attachment A – Monitoring Well Installation Report Requirements

ALO: 2/28/2007